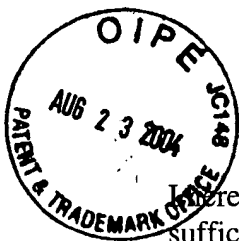


IFW



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Lisa Chandler

Lisa Chandler

Date: 8-19-04

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. 10/624,443 Attorney Docket No.: AGP-32578(1)

Applicant: Agtech Products, Inc.

Inventors: Thomas G. Rehberger et al.

Filing Date: July 22, 2003 (22.07.03)

Title: *Lactobacillus Strains and Uses Therefor*

**REVOCATION OF POWER OF ATTORNEY**  
**WITH NEW POWER OF ATTORNEY AND**  
**STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

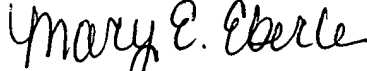
Enclosed are a Revocation of Power of Attorney With New Power of Attorney signed by applicant, Thomas G. Rehberger and a 3.73 Statement signed on behalf of the applicant, Agtech Products, Inc. The Revocation of Power of Attorney With New Power of Attorney revokes any prior authority of the Boyle Fredrickson Newholm Stein & Gratz, S.C. firm.

Please change the correspondence for this application to:

Attn: Mary E. Eberle, Esq.  
Whyte Hirschboeck Dudek S.C.  
555 E. Wells Street, Suite 1900  
Milwaukee, Wisconsin 53202

Revocation of Power of Attorney With New Power of Attorney and 3.73 Statement  
Appln. No.: 10/624,443  
Applicant: Agtech Products, Inc.  
Inventor: Thomas G. Rehberger  
Attorney Docket 362.017  
Page 2

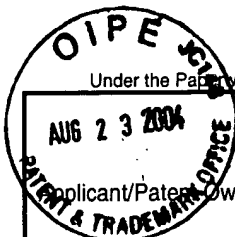
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary E. Eberle". The signature is fluid and cursive, with the first name "Mary" and last name "Eberle" clearly distinguishable.

Mary E. Eberle  
Registration No. 43,599

Dated: August 19, 2004

WHYTE HIRSCHBOECK DUDEK S.C.  
555 E. Wells Street, Suite 1900  
Milwaukee, Wisconsin 53202  
Telephone: (414) 273-2100  
Facsimile: (414) 223-5000



## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Thomas G. Rehberger, et al.Application No./Patent No.: 10/624,443Filed/Issue Date: July 22, 2003Entitled: Lactobacillus Strains and Uses ThereforAgtech Products, Inc. \_\_\_\_\_, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ **an assignee of less than the entire right, title and interest.**

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014786, Frame 0960, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 19, 2004

Date

(608) 234-6054

Telephone number

Mary E. Eberle

Typed or printed name

Signature

Patent Attorney, Reg. No. 43,599

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Revised PTO/SB/80 (12-03)  
Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF ATTORNEY WITH NEW  
POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke the prior Power of Attorney to the practitioners at Boyle Fredrickson Newholm Stein & Gratz, S.C.; each of which are located at the following address:

Boyle Fredrickson Newholm Stein & Gratz, S.C.  
250 East Wisconsin Avenue, Suite 1030  
Milwaukee, WI 53202

I hereby appoint practitioners associated with the Customer Number 22202 as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

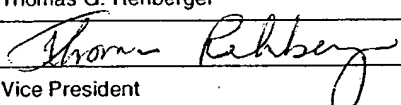
Assignee Name and Address:

AGTECH PRODUCTS, INC.  
W227 N752 Westmound Drive  
Waukesha, WI 53186

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Thomas G. Rehberger		
Signature		Date	7-30-04
Title	Vice President	Telephone	262-521-1717

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.